

04/16/01

U. S. BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF VIRGINIA

ABINGDON CALENDAR - APRIL 18, 2001

(The Honorable William F. Stone Jr. Presiding)

(Start Recess / Stop Trials: Proceedings)

Attys: **Debtors:** **Case Nos.:** **Trustees:**

9:30 A. M. - PRE-TRIALS IN COURTROOM

Carmody	DENNIS & FAY SHORTT-ch7 (Case reopened 1/23/01; rec'd fr. Archives 1/29) A/P 7-01-00029: Det. Dischargeability Debtors v. First Union National Bank , pdba Bank of America (Beck)	7-97-00298	<u>S</u>
Farthing/ Gifford	STANLEY & CAROLYN HOLDAWAY-ch7 Motion #2: Avoid lien d/e # 14 filed 3/13 Debtors v Wells Fargo Financial	7-01-00106	Wick/JJ
Money	ANDREW JOLLIFFE - Ch. 7 Motion # 1: Relief Arcadia Financial Ltd. (Sublett) v. Debtor & Trustee d/e # 12 – Default Order entered on 4/6	7-01-00549	Wick/S
Largen	STEVEN & KIMBERLY THOMAS-ch7 Motion # 1: Relief filed 3/20 Arcadia Financial Ltd. (Sublett) v. Debtor & Trustee d/e # 13, 14, 15, 16 – ORDER of 4/4 granted relief (agreed); hrg cancelled	7-01-00519	Largen/VS

9:30 A. M. - PRE-TRIALS IN COURTROOM

Carmody BILLY & SHIRLEY HYLTON-ch7 7-90-02436 Reop/JJ

A/P 7-00-00248: Motion to Reconsider Order

Debtors v. Signet Bank

A/P 7-00-00249: Motion to Reconsider Order

Debtors v. The Clinic

A/P 7-00-00250: Motion to Reconsider Order

Debtor v. Dominion Bank NA

A/P 7-00-00250: Mot to reconsider order S

Debtors v. Humedicenters

Largen STEPHEN & REBECCA KREJCI-ch13 7-00-01965 Widener/MC

Motion #1: Relief - filed 3/29 **d/e # 31, 32**

Wells Fargo Home Mortgage In c(Sasser/White) v. debtors & trustee

-Response filed 4/9

Copeland JOHN HARGROVES-ch7 7-01-00780 Wick/AF

Motion #2: Relief **d/e # 14, 15** filed 3/28

Miners & merchants Bank (Bolling) v. debtor & trustee

-ORDER of 4/13, d/e # 18, grants relief, cancels hearing

(See also 10:00 a.m. below - relief motion #1)

10:00 A. M. - MISCELLANEOUS HEARINGS

Via *STEPHEN & VALERIE VICKERS-ch7 7-98-04027 Smith/BP

*he deceased

Trustee's Notice of intent to sell property **d/e # 120** filed 3/12

10:00 A. M. - MISCELLANEOUS HEARINGS

Timoney KRISTY NICOLA-ch7 7-99-03016 Wick/JJ
Motion of Trustee to Dismiss case (failure to appear at two creditors' meetings)
(IF appears at contd 4/11 §341 mtg, will withdraw motion to dismiss)

Lamie MICHAEL & BETTY MILLER-ch7 7-99-03183 Wick/PR
Obj to Claim #1: Miners & Merchants Bank **d/e #64**

Obj to Claim #2: Russell Builders **d/e # 65**

Obj to Claim #3: GMAS **d/e # 66**

Obj to Claim #4: First Va. Bank **d/e # 67**

Obj to Claim #5: First Va. Bank **d/e # 68**

Obj to Claim #15 of First Va. Bank **d/e # 70**

Obj to Claim #16 of First Va. Bank **d/e # 71**

Obj to Claim #7: Bristol Newspaper **d/e # 69**

Obj to Claim #21 of Paula D Harris c/o Mark Esposito **d/e # 72**
ORDER of 3/14 resolved; d/e # 76

Obj to Claim #22 of Paula D. Harris c/o mark Esposito **d/e # 73**
ORDER of 3/14 resolved; d/e # 76

Large GARY & ANGELA ROSENBAUM-ch7 7-00-04193 Callahan/PR
Obj of Trustee to Claim of Exemptions (filed w/exhibit) **d/e # 17**
–Agreed OTBT to contd to 5/22 @ 10

10:00 A. M. - MISCELLANEOUS HEARINGS

Carroll ROCKY & DONNA HILL-ch7 7-00-04035 Wick/MC
Motion of Trustee to Dismiss case; failure to appear at creditors meeting **d/e # 14**

Copeland JOHN HARGROVES-ch7 7-01-00780 Wick/AF
Motion #1: Avoid lien **d/e # 12** filed 3/21
Debtor v. Equity One Consumer Loans ()
–**ORDER OF 4/6 AVOIDED LIEN (DEFAULT); hrg cancelled.**

(See also 9:30 above - relief motion #2)

Proctor TERRY & KAREN GILL-ch13 7-00-01250 Widener/MC
Motion #5: Relief - **d/e # 89, 90** filed 3/22
Orix Fiancial Services (Mark Callahan) v. debtors & trustee
–**DEFAULT order entered 4/9**

Largen JEFFREY & TAMMY PICKETT-CH7 7-01-00675 Callahan/MC
Motion #1: Relief - filed 3/26 **d/e # 12, 13**
Amsouth Bank (Hutton) v. Debtors & trustee
Response filed by debtors 4/2/01, d/e # 14

10:30 A. M. - MISCELLANEOUS HEARINGS

Copeland SOUTHERN KENTUCKY ENERGY-Ch11 7-98–1991 DIP/
A/P 7-00-00106: Recover money or property SO
Southern Kentucky Energy v. Greenfield Communication (Lamie)
–contd PRETRIAL fr 1/16 & 3/6 to Abg 4/18 w/court consent

11:00 A. M. - MISCELLANEOUS HEARINGS

M Black	CRAIG S. CROPP MD-CH7	7-01-00985	Callahan/MC
	Motion #1: Relief - filed 4/6 for 4/18 hearing – no p.h.o entered; unendorsed proposed order in motion jacket		
	Harper W. Lintecum, minor by his father & mother & next friends Gary & Michelle R. Lintecum (Moore/Russell) v. debtor & trustee		
	<u>Objection of debtor & Motion to continue filed 4/10, d/e # 13</u>		
	–ORDER (agreed) of 4/13 continued hearing to 5/8 @ 11		
Cline	GLEN CASTLE-ch7	7-01-00201	Callahan/VS
	Motion #3: Relief - filed 3/28 d/e # 25, 26		
	Ford Motor Credit Co (Paul Black) v. debtor & trustee		
Farthing	RICKY & REBECCA VAUGHN	7-01-00315	Callahan/MC
	Motion #1: Relief FILED 3/29 D/E # 13, 14		
	Ford Motor Credit Co (Paul Black) v. debtor & trustee		
	–DEFAULT order entered 4/9		
Copeland	BEAR RIDGE MINING INC-chll	7-00-00708	DIP/AF
	Showcause why case should not be converted or dismissed IF debtor fails to either file Discl. & Plan or Motion to Sell ALL or substantially All of its assets within 60 days of entry of Order of 1/24/01 d/e # 85		
	–Discl Stmt & Plan filed 3/27; hearing cancelled?		
Henderson	JACKSON & SHARON LAMBERT - CH. 7	7-00-04161	Callahan/VS
	U. S. Trustee's (Garber) Motion to Extend Debtor's discharge and time for filling Motion to Dismiss pursuant to § 707(a) or (b) or Complaint to deny discharge pursuant to § 727		
	Mot of Debtor to continue hearing and Opposition to UST mot. filed 4/12 d/e # 16		
Timoney	CHARLES & PATSY GREEN - Ch. 7	7-98-04007	Callahan/BP
	Trustee's Motion to Bifurcate Case and DISMISS case of Charles Green		

11:00 A. M. - MISCELLANEOUS HEARINGS

Martin JENNIFER HAZELWOOD - Ch. 7
Contempt hearing for debtor's failure to comply with Court's Order of Jan. 5, 2001
to appear & show cause **d/e # 46**
–NOTE: Ord of 4/6 changed hearing date from 4/18 to 5/8 @ 11

Copeland BLACK NUGGET MINING INC-ch7 7-99-01199 Wick/S
FOR HEARING OBJ TO CLAIMS / PMT OF ADM EXP
Motion of UMWA 1992 Benefit Plan (Kieffer) for pmt of administrative expense
d/e # 35

Objection to Claim #3: UMWA CashDeferred Sav.Plan (Kieffer) **d/e # 24; 41**
–contd fr 2/6

Objection to Claim #4: UMWA 1974 Pension Plan (Kieffer) **d/e # 25; 41**
–contd fr 2/6

Objection to Claim #5: UMWA 1992 Benefit Plan (Kieffer) **d/e # 26; 41**
–contd fr 2/6

Objection to Claim #7 S & S Leasing (Wm.Bradshaw) **d/e # 28**
–contd fr 2/6 to permit amendment to be filed re: basis of obj.
–Memorandum: opposing obj to claim (W.Bradshaw) filed 3/2 d/e # 49

Beck ANTAEUS ENERGY CORP- 7-00-00070 Farrell/BP
U. S. Trustee's Motion to Waive Debtor's appearance & examination
at 341 meeting of creditors

Beck MINERAL DEVELOPMENT CORP. - Ch. 7 7-00-00071 Farrell/VS
U. S. Trustee's Motion to Waive Debtor's appearance & examination
at 341 meeting of creditors **d/e ## 108/109**

11:00 A. M. - MISCELLANEOUS HEARINGS

Beck RESOURCE RECOVERY I, LLC 7-00-00072 Farrell/SJ
 U. S. Trustee's Motion to Waive Debtor's appearance & examination
 at 341 meeting of creditors

Beck COAL RECOVERY, I LLC 7-00-00073 Farrell/PR
 U. S. Trustee's Motion to Waive Debtor's appearance & examination
 at 341 meeting of creditors

Beck COAL RECOVERY II, LLC 7-00-00074 Farrell/BP
 U. S. Trustee's Motion to Waive Debtor's appearance & examination
 at 341 meeting of creditors

Beck COAL RECOVERY III, LLC 7-00-00075 Farrell/MC
 U. S. Trustee's Motion to Waive Debtor's appearance & examination
 at 341 meeting of creditors **d/e ## 109/110**

Beck GREENFIELDS ENVIRONMENT RECOVERY II, LLC 7-00-00076 Farrell/JJ
 U. S. Trustee's Motion to Waive Debtor's appearance & examination
 at 341 meeting of creditors

Beck ANTAEUS GARY PROJECT INC- Ch. 7 7-00-00077 Farrell/BP
 U. S. Trustee's Motion to Waive Debtor's appearance & examination
 at 341 meeting of creditors

11:00 A. M. - MISCELLANEOUS HEARINGS

Beck MDC OF ILLINOIS LLC 7-00-00078 Farrell/AF
U. S. Trustee's Motion to Waive Debtor's appearance & examination
at 341 meeting of creditors **d/e # 105; 106**

Beck ANTAEUS TECHNICAL SERVICES LLC 7-00-00079** Copeland/BP
U. S. Trustee's Motion to Waive Debtor's appearance & examination
at 341 meeting of creditors

***note: this case consolidated with case #99-02114 below*

Beck ANTAEUS TECHNICAL SERVICES, INC. - Ch. 7 7-99-02114 Copeland/VS
U. S. Trustee's Motion to Waive Debtor's appearance & examination
at 341 meeting of creditors **d/e ## 222/225**

1:00 P. M. - CHAPTER 13 CONFIRMATION HEARINGS

Antenucci GLENDA ABSHER-chl3 7-97-01726 Widener/JJ
Copeland Contd confirmation hearing (court's order of 3/28/01) **d/e # 89**
Objection: Trustee d/e # 92

Hutchinson CHRISTOPHER & BRANDI ALLISON 7-99-00385 Widener/MC
Post Conf. Mod Plan filed 2/28 **d/e # 38, 39**
Objection: Highlands Union Bank (Hutton) filed 3/22 **d/e # 43**

Motion # 1: Relief
Highlands Union Bank (Hutton) v. Debtors & Trustee **d/e # 41, 42**
—ORDER of 4/4 granted relief (agreed) ; cancels hearing

1:00 P. M. - CHAPTER 13 CONFIRMATION HEARINGS

Timoney CAMILA BROWN-chl3 7-00-03444 Widener/SO
Mod Plan filed 2/22 **d/e # 33**

Trustee's Notice to Show Cause why this Case should not be dismissed **d/e # 36**

Farthing WILLIAM CHATHAM-chl3 7-00-03261 Widener/VS
Mod Plan filed 2/27 **d/e # 26**

Objection: Trustee with Motion dismiss/convert d/e # 24 contd from 3/6

Gifford JACQUELINE LEMIEUX-chle 7-99-01040 Widener/NS
Post Conf. Amended Plan(#2 filed 2/21)**d/e # 54 w/Amended Scheds I & J**

Hutchinson HOWARD & SHANNON GOBBLE-chl3 7-00-03723 Widener/PR
Mod Plan filed 2/20 **d/e # 20**

H. Brown WILLARD & SANDRA DAVIS - Ch. 13 7-00-04044 Widener/SO
Amended Plan filed 2/8, **d/e # 21**
NOTE: AMENDED PLAN filed 3/23, d/e # 30, 31, w/c-s trustee & 1st Century Bank

Objection: Trustee w/ showcase; dismissal **d/e # 20** contd from 3/6

1:00 P. M. - CHAPTER 13 CONFIRMATION HEARINGS

Timoney	DEBORAH HALL Plan filed 1/10; d/e # 6 ; contd fr 4/3 Objection of Trustee with Motion to Dismiss d/e #20 MOTION of Debtor to convert to Ch 7 filed 4/10 & f.f \$15.00 paid	7-01-00088	Widener/AF
Largen	JANICE SHEPHERD-chl3 Mod Plan filed 2/15 d/e # 21, 22 Trustee Mot to dismiss or Convert – contd from 2/21	7-00-03582	Widener/SJ
Largen	DREAMA TURNER-chl3 Mod Plan filed 2/21 d/e # 25, 26 Objection: Oakwood Acceptance (Maxwell) filed 3/21 d/e # 33 Objection: Trustee <u>with Motion to Convert or Dismiss filed 3/27</u> d/e # 35	7-00-03832	Widener/SJ
Proctor	GARY HAMMER-chl3 Plan - d/e # 6 ; contd fr 3/6 Objection: GCB Acceptance (Hutton) d/e # 13 & ANSWER of debtor d/e # 15 Trustee and Notice for show cause on dismissal or conversion d/e # 19 Commonwealth of Val Dept of Taxation (Weth) d/e # 20 filed 2/28	7-00-04114	Widener/VS
Timoney	PATRICIA WILSON - Ch. 13 Plan filed 12/12 d/e # 6 - contd fr 3/6 Objection: filed 1/29 Trustee <u>with Motion dismiss/convert d/e # 18</u> <i>Note: Issue of “income tax refund/earned income tax” decided by OMOP of 3/ /01</i> (New schedules I & J directed to be filed in 20 days as a result of 3/15 decision)	7-00-04051	Widener/VS

1:00 P. M. - CHAPTER 13 CONFIRMATION HEARINGS

Lamie EARNEST BOLEN-ch13 7-00-02339 Widener/PR
Mod Plan filed 2/21 **d/e # 95, 98**
Objection: Trustee w/ Motion re: Dismissal or Conversion refiled 3/19 **d/e # 100**
Trustee Motion re: Dismissal or Conversion filed 1/8 **d/e # 73** contd fr bench 2/21
OBJECTION: to amended Plan by Associates Commercial Corp (Fleischhauer) **d/e**
#103

Motion #1: Relief - contd fr 11/14; 12/12; 1/02 filed 9/29; **d/e # 35**
Associates Financial Services (Fleischhauer) v. debtor
– contd fr 2/21

1:00 P. M. - CHAPTER 13 CONFIRMATION HEARINGS

Via PETER & TERRIE PRYOR 7-00-03624 Widener/SJ
Plan filed 11/8 **d/e # 6** ; contd fr 3/6
Objection: Donovan & Co (Esposito) **d/e # 24**

Showcause; failure of attorney to tender order continuing confirmation hearing as
directed at 3/6 hearing.

Motion for valuation: real property 3rd d/t; Donavan & Donavan **d/e # 17**
–Obj & Response filed d/e # 23; contd fr 4/3

Motion for valuation: Transouth Financial; real property **d/e # 18**
–contd fr 4/3

Motion for valuation: Amsouth Bank/ real property **d/e # 20**
–Response filed (Christine Patterson) d/e # 22; contd fr 4/3

Timoney JASON LIDDLE - Ch. 13 7-01-00036 Widener/JJ
Plan contd fr 4/3
Objection: Trustee w/Show Cause on Dismissal **d/e # 15, 17**

1:00 P. M. - CHAPTER 13 CONFIRMATION HEARINGS

Hutchinson	MICHAEL & ROXANA CREASY Plan filed 11/29 d/e # 6 - contd fr 3/6	7-00-03883	Widener/PR
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1:00 P. M. - MISCELLANEOUS HEARINGS

Largen	ROBERT LINEBERRY-chl3 Motion of trustee to dismiss/convert d/e # 38	7-98-04411	Widener/VS
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Proctor	WALTER & CATHERINE WIDENER-chl3 Motion of Trustee to dismiss/convert d/e # 22	7-97-00432	Widener/SJ
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Proctor	LARRY STANLEY-chl3 Motion of Trustee to dismiss/convert d/e # 40	7-99-03924	Widener/SJ
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Hutchinson	CLARK PICKETT-chl3 Motion of Trustee to dismiss/convert d/e # 18	7-00-00163	Widener/PR
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1:00 P. M. - MISCELLANEOUS HEARINGS

Gifford	RICKY HAMPTON-ch13 Trustee Motion to dismiss or convert d/e # 69 filed 3/8	7-98-00754	Widener/MS
Largen	DANIEL & SANDRA KNOTT-ch13 Motion of Trustee to dismiss/convert d/e # 67	7-97-04369	Widener/JJ
Gifford	JO ANN PHILLIPS Motion of Debtor to Shorten Chapter 13 Plan d/e # 19 –Ord of 3/26 authorized trustee to accept funds in full & final pmt of plan and file final report., cancels hearing.	7-98-04645	Widener/MC
Zwerdling	EUNICE DICKEY - Ch. 13 Trustee's Objection & Show Cause on Dismissal d/e # 16 (Confirmation of Plan scheduled for 5/8/01)	7-01-00313	Widener/PR
Timoney	ANDREW, SR., & PATRICIA DEBORD - Ch. 13 Trustee's Objection & Show Cause on Dismissal d/e # 14 (Confirmation of Plan scheduled for 5/8/01)	7-01-00303	Widener/PR

1:00 P. M. - MISCELLANEOUS HEARINGS

Timoney	HERBERT, II, BLEVINS & BRIDGETT BLEVINS - 7-01-00563 Trustee's Objection & Show Cause on Dismissal d/e # 13 (Confirmation of Plan scheduled for 5/8/01)	Widener/ PR
Antenucci Copeland	EARL & JENNIFER HILLIARD - Ch. 13 7-01-00340 Trustee's Objection & Show Cause on Dismissal d/e # 17 (Confirmation of Plan scheduled for 5/8/01)	Widener/NS
Jessee	THOMAS & ROBERTA WATSON - Ch. 13 7-01-00509 Trustee's Objection & Show Cause on Dismissal d/e # 13 (Confirmation of Plan scheduled for 5/8/01)	Widener/JM
Gifford	JOHN & DOROTHY YODER - Ch. 11 7-01-00399 Trustee's Objection & Show Cause on Dismissal d/e # 21 (Confirmation of Plan scheduled for 5/8/01)	Widener/S
Antenucci Copeland	WILLIAM & JUDY PEAKE-ch13 7-98-00997 Motion of JUDY PEAKE only to Bifurcate Case and Convert to Ch 7 (Bifurcation fee. \$77.50 and conversion fee \$15.00 Paid 3/15) (Notice of hearing on any objections filed within 10 days of (???notice date or hrg date) Trustee Motion to dismiss or conivert d/e # 90 -contd fr 2/21 (contd fr 3/21 to hear w/Mot to Bifurcate, etc.)	Widener/BP Abingdon Calendar -

1:00 P. M. - MISCELLANEOUS HEARINGS

Moffatt	JIMMY LESTER-chl3	7-96-02964	Widener/JJ
	Order (3/14) to show cause why amended plan endorsed by debtor was not filed pursuant to 2/28/01 Order of Deficiency thereon d/e # 41, 42, 43		
	<i>(Endorsed, modified plan filed 3/19; set for conf 5/8 @ 1)</i>		
Hutchinson	DAVID & JANETTA SHUPE-chl3	7-99-01884	Widener/AF
	Trustee's Motion to Dismiss or Convert to Ch. 7 d/e # 28		
Gifford	ROY & SHELIA HILL	7-96-00888	Widener/AF
	Trustee's Motion to Dismiss or Convert to Ch. 7 d/e # 117		
Largen	ROBERT HALL JR	7-98-01926	Widener/JJ
	Trustee's Motion to Dismiss or Convert to Ch. 7 d/e # 63		
Carmody	EDWINA MCREYNOLDS	7-97-04559	Widener/MC
	Trustee's Motion to Dismiss or Convert to Ch. 7 d/e # 32		
	<i>(Debtor on 3/26 filed Motion to Convert to Chapter 7; \$15 conversion fee paid)</i>		
Hutchinson	CHARLES FRIESS - Ch. 13	7-99-03868	Widener/AF
	Trustee's Motion to Dismiss or Convert to Ch. 7 d/e # 22		

1:00 P. M. - MISCELLANEOUS HEARINGS

Lamie	RANDALL DIXON - Ch. 13 Debtor's Motion to Extend Plan three add'l months d/e # 59 (Proposed order tendered in file)	7-99-02414	Widener/VS
Gifford	JAMES HATCHER - Ch. 13 Debtor's Motion to Extend Plan two add'l months d/e # 38	7-98-02823	Widener/PR
Timoney	CHRISTINA BARLOW - Ch. 13 Trustee's Motion to Dismiss Case	7-00-00346	Widener/JJ
Antenucci Copeland	RONNIE EDWARDS - Ch. 13 Trustee's Motion to Dismiss or Convert Case to Ch. 7	7-00-00392	Widener/SJ
Copeland	BILL GREEVER SR-ch13 Motion of Debtor to Sell Property & Shorten Notice Required d/e # 205 filed 4/10	7-98-00088	Widener/AF

1:30 P. M. - MISCELLANEOUS HEARINGS

Copeland	JACK SYKES-ch13` Motion of Trustee to dismiss or convert d/e # 33 -contd fr 2/21 - debtor mot to be filed re completion of pmts. Dischg of debtor, & closing case, etcdebtor appearance excused)	7-98-04218	Widener/AF
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1:30 P. M. - MISCELLANEOUS HEARINGS

Gifford THOMAS & JOYCE HAWTHORNE-chl3 7-93-01861 Widener/VS
Motion of Trustee filed 1/19 for status on Chapter 13 case and Adversary
Proceeding 7-96-00296 **d/e # 49**
–contd fr 2/21 for mot to be filed ref. Completion of pmts, dischr of debtor, etc)

(AP , closed 10/12/99, in which final order allowed 3rd amended claim
of IRS in amt of \$36,334.83 priority unsecured and \$21,015.83
general unsecured and directed IRS to amend its proof of claim in 60 days
from 10/5/99 order) Amended claim \$57,350.66 was filed pursuant thereto)

*–See also 2:00 p.m. hearing noticed 3/16 below for entry of order ***

2:00 P. M. - MISCELLANEOUS HEARINGS

Gifford **THOMAS & JOYCE HAWTHORNE-chl3 7-93-01861 Widener/VS/LG
A/P 7-96-00296: (AP CLOSED 10/12/99)
** Motion for entry of Order permitting Disbursement of funds by Chapter 13 Trustee to
IRS
Debtors v. IRS (Keen)

2:30 P.M. - MISCELLANEOUS HEARINGS

Antenucci ANNA LITTON - Ch. 13 7-00-03809 Widener/JM
Motion for Stay of Judgment Pending Appeal FILED 4/9; **D/E # 36**

3:00 P. M. - TRIAL

Timoney SHIRLEY MORT - ch7 7-99-00407 Smith
A/P 7-99-00077: Trial - det. Dischargeability
Debtor (Timoney) v. Tennessee Student Association (Hofstetter/Esposito)
–*exhibits & witness list of defendant filed 4/10 w/stipulation of parties (in AP file)*